

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

January 10, 2008

The Board of Education and the Board of Career and Technical Education met at the James Monroe State Office Building, Jefferson Conference Room, 22nd Floor, Richmond, with the following members present:

Dr. Mark E. Emblidge, President
Dr. Ella P. Ward, Vice President
Dr. Thomas M. Brewster
Mrs. Isis M. Castro
Mr. David L. Johnson

Dr. Gary L. Jones
Mr. Kelvin L. Moore
Mr. Andrew J. Rotherham
Mrs. Eleanor B. Saslaw

Dr. Billy K. Cannaday, Jr.
Superintendent of Public Instruction

Dr. Emblidge, president, presided and called the meeting to order at 9 a.m.

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

Dr. Emblidge asked Mrs. Saslaw to lead in a moment of silence and Pledge of Allegiance.

APPROVAL OF MINUTES

Dr. Ward made a motion to approve the minutes of the November 29, 2007, meeting of the Board. The motion was seconded by Mrs. Castro and carried unanimously. Copies of the minutes had been distributed to all members of the Board of Education.

RESOLUTION

The Williamsburg-James City County Public Schools was presented the Leadership in Cultural Diversity Education Award. Dr. Emblidge said that the 2004 Student Advisory Committee recommended to the board that an award program be developed for schools that make an effort to educate students about cultural diversity. Dr. Emblidge said that Williamsburg-James City County Public Schools not only meets the criteria, but exceeds them. Dr. Emblidge congratulated the leadership of Williamsburg-James City County Public Schools for their outstanding work and remarkable achievements. Dr. Gary Mathews, superintendent of Williamsburg-James City County Public Schools and Dr. Angelina Hopkins, assistant to the superintendent for multicultural affairs accepted the award.

PUBLIC COMMENT

The following persons spoke during public comment:

Princess Moss
Sara Geddes
Angela Ciolfi
Jean Bankos

VIRGINIA INDEX OF PERFORMANCE (VIP) PROGRAM AWARDS

Dr. Patricia Wright, chief deputy superintendent of public instruction, said that the Board of Education approved the Virginia Index of Performance (VIP) in July 2007 in response to Governor Kaine's call for a formal system to recognize schools and school divisions that exceed minimum state and federal accountability standards. The multi-tiered VIP program provides incentives for improved performance and opportunities for recognition regardless of where a school or school division happens to be on the journey from competence to excellence.

Dr. Wright said that Governor Timothy M. Kaine announced that 89 Virginia public schools have met the rigorous criteria required to earn the Governor's Award for Educational Excellence. The award is the highest honor under a new incentive program for schools and school divisions created by the Board of Education.

To qualify for the Governor's Award for Educational Excellence, schools and school divisions must meet all state and federal achievement benchmarks for at least two consecutive years and meet Governor Kaine's goals for achievement in elementary reading; enrollment in Algebra I by grade 8; enrollment in college-level courses; attainment of advanced diplomas and career and industry certifications; and participation, if eligible, in the Virginia Preschool Initiative. Schools and school divisions also earn bonus points for other performance measures, including the Governor's Nutrition and Physical Activity Scorecard.

Nineteen school divisions and 475 schools earned the Board of Education's VIP Excellence Award, the second-tier honor in the VIP program. These schools and divisions also have met all state and federal accountability benchmarks for at least two consecutive years and have made significant progress toward goals for increased student achievement and expanded educational opportunity set by Governor Kaine and the Board of Education.

Twenty-five school divisions and 322 schools earned the Board of Education's VIP Competence to Excellence Award. This award recognizes schools and districts that have met all state and federal benchmarks for at least two consecutive years and are making progress toward VIP objectives reflecting the goals of Governor Kaine and the Board.

The 89 schools earning the Governor's Award for Educational Excellence are as follows:

- Albemarle County — Virginia L. Murray Elementary and Western Albemarle High
- Amherst County — Elon Elementary and Pleasant View Elementary
- Appomattox County — Appomattox Elementary
- Arlington County — Arlington Traditional Elementary, Jamestown Elementary, McKinley Elementary and Nottingham Elementary
- Buchanan County — J.M. Bevins Elementary
- Charlottesville City — Greenbrier Elementary
- Chesterfield County — Grange Hall Elementary, Midlothian Middle, Swift Creek Elementary and W.W. Gordon Elementary
- Danville City — Forest Hills Elementary and Woodrow Wilson Elementary
- Fairfax County — Carson Middle, Chesterbrook Elementary, Churchill Road Elementary, Colvin Run Elementary, Cooper Middle, Franklin Middle, Great Falls Elementary, Haycock Elementary, Hunt Valley Elementary, Longfellow Middle, Louise Archer Elementary, Madison High, Oak Hill Elementary, Oakton High, Thoreau Middle, West Springfield Elementary, Westfield High and Woodson High
- Falls Church City — Thomas Jefferson Elementary
- Franklin County — Boones Mill Elementary and Glade Hill Elementary
- Henrico County — Glen Allen Elementary, Nuckols Farm Elementary, Pemberton Elementary, Rivers Edge Elementary, Shady Grove Elementary, Short Pump Elementary, Springfield Park Elementary and Twin Hickory Elementary
- Lee County — Ewing Elementary and St. Charles Elementary
- Loudoun County — Belmont Ridge Middle, Broad Run High, Farmwell Station Middle, Hillsboro Elementary, Lincoln Elementary, Loudoun Valley High, Stone Bridge High and Waterford Elementary
- Newport News City — Hilton Elementary
- Norfolk City — School of International Studies at Meadowbrook
- Patrick County — Stuart Elementary
- Pittsylvania County — John L. Hurt Elementary
- Portsmouth City — Churchland Elementary and Hodges Manor Elementary
- Prince William County — A. Henderson Elementary, Mountain View Elementary and Westridge Elementary
- Richmond City — A.V. Norrell Elementary, Fairfield Court Elementary, George Mason Elementary and Mary Munford Elementary
- Roanoke City — Grandin Court Elementary
- Roanoke County — Back Creek Elementary, Clearbrook Elementary, Hidden Valley High and Mountain View Elementary
- Salem City — Salem High
- Scott County — Hilton Elementary, Nickelsville Elementary, Rye Cove Intermediate and Weber City Elementary
- Tazewell County — Abb's Valley-Boissevain Elementary
- Virginia Beach City — Creeds Elementary, Kemps Landing Magnet, King's Grant Elementary, Old Donation Center and Princess Anne High
- Washington County — Valley Institute Elementary and Watauga Elementary
- Wythe County — Speedwell Elementary
- York County — Seaford Elementary

CONSENT AGENDA

Dr. Jones made a motion to approve the consent agenda. Mrs. Saslaw seconded the motion and carried with unanimous vote.

- Final Review of Financial Report on Literary Fund
- Final Review of Recommendations Concerning Applications for Literary Fund Loans
- Final Review of Recommendations Concerning Literary Fund Applications Approved for Release of Funds or Placement on a Waiting List

Final Review of Financial Report on Literary Fund

The Department of Education's recommendation to approve the financial report (including all statements) on the status of the Literary Fund as of September 30, 2007, was approved with the Board's vote on the consent agenda.

Final Review of Recommendations Concerning Applications for Literary Fund Loans

The Department of Education's recommendation to approve four applications totaling \$27,312,391 was approved with the Board's vote on the consent agenda.

DIVISION	SCHOOL	AMOUNT
Petersburg City	Robert E. Lee Elementary	\$6,493,700.00
Petersburg City	Walnut Hill Elementary	5,818,691.00
Virginia Beach City	Virginia Beach Middle	7,500,000.00
Norton City	Norton Elementary School	7,500,000.00
	TOTAL	\$27,312,391.00

Final Review of Recommendations Concerning Literary Fund Applications Approved for Release of Fund or Placement on a Waiting List

The Department of Education's recommendation that funding for thirteen projects totaling \$44,000,000 be released was approved with the Board's vote on the consent agenda.

The Department of Education's recommendation to approve the actions described in the following four elements was approved with the Board's vote on the consent agenda:

1. Two new projects, totaling \$15,000,000 are eligible for placement on the First Priority Waiting List.
2. Twenty-five projects from the First Priority Waiting List participated in the 2007 Virginia Public School Authority 2007 Interest Rate Subsidy program and, as a result, have been removed from the First Priority Waiting List.

3. One project for Rockingham County (Montevideo Elementary School) was inadvertently left off of the First Priority Waiting List in October 2007. Based on the date of approval of plans, this project should have been listed as Number 33 on the First Priority Waiting List. Rockingham County elected to participate in the 2007 Virginia Public School Authority 2007 Interest Rate Subsidy program, and consequently the Montevideo Elementary School project was removed from the First Priority Waiting List.
4. Three new projects, totaling \$19,812,391 have Literary Fund applications, which are approved as to form, but the plans have not yet been finalized. When the Department receives the plans, these projects will be eligible for placement on a waiting list. Until such time, these projects should remain on the Approved Application List.

First Review of Proposed Revisions to the Regulations Establishing Standards for Accrediting Public Schools in Virginia (8 VAC 20-131-10 et seq.)

Mrs. Anne Wescott, assistant superintendent for policy and communications, and Dr. Deborah Jonas, executive director for research and strategic planning, presented this item.

Mrs. Wescott said that the current regulations were adopted by the Board of Education on May 24, 2006, and became effective September 7, 2006. In July 2006, Dr. Emblidge formed a special committee of the Board of Education to research and recommend policies to reduce the number of students who drop out of high school and to improve graduation rates, especially among minority students. The proposed revisions are an outgrowth of the work both of that committee and of the Board's adoption of a graduation rate formula in November 2006: Graduation rate = [On-time graduates in Year X] / [(First-time entering ninth graders in Year X-4) + (Transfers in) – (Transfers out)]. In the fall of 2008, the records of first-time ninth graders in 2004-2005 will be able to be linked to their records four years later to determine their graduation status.

Standard Technical Diploma and Advanced Technical Diploma

Mrs. Wescott said that the proposed Standard Technical Diploma requirements are a minimum of 22 standard credits and six verified credits, in the following areas:

- English – Four standard credits and two verified credits
- Mathematics – Three standard credits and one verified credit
Courses completed to satisfy this requirement would include at least three course selections from among: Algebra I, Geometry, Algebra Functions and Data Analysis, Algebra II, or other mathematics courses above the level of Algebra II. The Board would approve courses to satisfy this requirement.
- Laboratory science – Three standard credits and one verified credit
Courses completed to satisfy this requirement would include course selections from at least three different science disciplines from among: earth sciences, biology, chemistry, or physics, or completion of the sequence of science courses

- required for the International Baccalaureate Diploma. The Board would approve courses to satisfy this requirement.
- History and social sciences – Three standard credits and one verified credit courses completed to satisfy this requirement would include U.S. and Virginia History, U.S. and Virginia Government, and one course in either world history or geography or both. The Board would approve courses to satisfy this requirement.
 - Health and physical education – Two standard credits
 - Fine arts, foreign language, economics, or personal finance – One standard credit
 - Career and Technical Education – Four standard credits
Courses completed to satisfy this requirement must include a career concentration as approved by the Board. For concentrations that require less than four courses students must complete additional courses that are related to the student's career concentration.
 - Electives – Two standard credits
 - Student selected assessment – One verified credit
A student may utilize additional tests for earning verified credit in computer science, technology, career and technical education, economics or other areas as prescribed by the Board in 8 VAC 20-131-110. If a career concentration includes a specific assessment approved by the Board, then the student must take this assessment.
 - Students who complete a career and technical education program sequence and pass an examination or occupational competency assessment in a career and technical education field that confers certification or an occupational competency credential from a recognized industry or trade or professional association or acquires a professional license in a career and technical education field from the Commonwealth of Virginia may substitute the certification competency credential or license for (i) the student selected verified credit and (ii) either a science or history and social science verified credit when the certification license or credential confers more than one verified credit. The examination or occupational competency assessment must be approved by the Board as an additional test to verify student achievement.

The Advanced Technical Diploma

Mrs. Wescott said that the proposed Advanced Technical Diploma requirements are a minimum of 26 standard credits and nine verified credits, in the following areas:

- English – Four standard credits and two verified credits
- Mathematics – Four standard credits and two verified credits
Courses completed to satisfy this requirement would include at least three course selections from among: Algebra I, Geometry, Algebra II, or other mathematics courses above the level of Algebra II. The Board would approve courses to satisfy this requirement.
- Laboratory science – Four standard credits and two verified credits
Courses completed to satisfy this requirement would include course selections from at least three different science disciplines from among: earth sciences, biology, chemistry, or physics, or completion of the sequence of science courses

- required for the International Baccalaureate Diploma. The Board would approve courses to satisfy this requirement.
- History and social sciences – Four standard credits and two verified credits
Courses completed to satisfy this requirement would include U.S. and Virginia History, U.S. and Virginia Government, and one course in either world history or geography or both. The Board would approve courses to satisfy this requirement.
 - Foreign Language – Three standard credits
Courses completed to satisfy this requirement would include three years of one language or two years of two languages.
 - Health and physical education – Two standard credits
 - Fine arts or economics – One standard credit
 - Career and Technical Education – Four standard credits
Courses completed to satisfy this requirement must include a career concentration as approved by the Board. For concentrations that require less than four courses students must complete additional courses that are related to the student's career concentration. If a career concentration includes a specific assessment approved by the Board, then the student must take this assessment.
 - Student selected assessment – One verified credit
A student may utilize additional tests for earning verified credit in computer science, technology, career and technical education, economics or other areas as prescribed by the Board in 8 VAC 20-131-110.

Graduation And Completion Index

Dr. Jonas' report included the following proposals for the Graduation and Completion Index:

- The Board of Education would establish a graduation and completion index.
- The graduation and completion index would include weighted percentage points for students who:
 - ✓ Graduate from high school in four years or less – 100 points
 - ✓ Graduate from high school in more than four years – 100 points
 - ✓ Earn a GED certificate – 75 points
 - ✓ Remain in school for more than four years – 70 points
 - ✓ Earn a certificate of completion – 60 points
- The index would account for all students in the graduating class's ninth-grade cohort, plus transfers into the school and minus transfers out of the school and students who are deceased. Students who remain in school or earn a credential after their assigned cohort year would also be included in the index.
- Beginning with academic year 2009-2010, for accreditation ratings for 2010-2011, schools with a graduating class would be required to meet the prescribed thresholds on the Board's graduation and completion rate index, in addition to meeting the required pass rates on the Standards of Learning assessments, in order to be fully accredited.
- Beginning with academic year 2009-2010, for accreditation ratings for 2010-2011, schools with a graduating class would be required to achieve a minimum of 80 percentage points on the Board of Education's graduation and completion index, in addition to meeting the required Standards of Learning pass rates, in order to be fully accredited.

- A school would be rated provisionally accredited in academic years 2010-2011 through 2014-2015 if it met the required pass rates on the Standards of Learning assessments, but failed to achieve 80 percent on the graduation and completion index, but met the following benchmarks:

Graduation and Completion Index Benchmarks for Provisionally Accredited Ratings		
Academic Year	Accreditation Year	Index Percentage Points
2009-2010	2010-2011	75
2010-2011	2011-2012	76
2011-2012	2012-2013	77
2012-2013	2013-2014	78
2013-2014	2014-2015	79

- If a school failed to meet the benchmarks for the provisionally accredited rating, the school would be accredited with warning for not achieving the minimum threshold on the graduation and completion index.
- If a school failed to meet the 80 percentage points on the index for the years after academic year 2013-2014, for accreditation ratings for the years after accreditation year 2014-2015, the school would be accredited with warning for not achieving the minimum threshold on the index.
- A school could remain in accredited with warning status for no more than three consecutive years. If the school failed to meet the minimum threshold for a fourth year, the school would be denied accreditation for not achieving the minimum threshold on the index.
- Accreditation would be based on the school's current pass rates and index points or a trailing three-year average of pass rates and index points, whichever is higher.
- Alternative education schools and schools with grades with an enrollment of 50 or fewer students in the ninth-grade cohort would be permitted to request that the Board approve an alternative accreditation plan to meet the graduation and completion index.
- The use of the graduation and completion index for accreditation of high schools would be phased in over five years. However, the School Performance Report Card would report the school's graduation and completion index in addition to its on-time graduation rate based on the Board's formula and by subgroup. Completion rates as well as diploma and credential types would be reported annually as well.

Dr. Jones made a motion to amend the superintendent's recommendation with new language to be included in 8 VAC 20-131-140 as suggested by the Governor in s letter distributed to all members of the Board. The Governor requested that the revised SOA contain provisions for each middle and high school student to have a personal learning plan that aligns academic and career goals with the student's course of study. The motion was seconded by Dr. Ward and carried unanimously.

Dr. Jones made a motion to waive first review and authorize the Department of Education staff to proceed with the requirements of the Administrative Process Act. Following the review by the Attorney General's Office, the Department of Planning and Budget, the Secretary of Education, and the Governor, the proposed regulations will be published for a period of public comment. Following the public comment, the Board will review the regulations again, and will consider any changes in response to public comment. The motion was seconded by Dr. Ward and carried unanimously.

First Review of a Request for an Increased Graduation Requirement from Roanoke County Public Schools

Mrs. Anne Wescott, assistant superintendent for policy and communications, and Dr. Cecil Snead, director of instruction for Roanoke County Public Schools, presented this item.

Dr. Snead said that Roanoke County is requesting an increase in the graduation requirements for all students pursuing the Standard, Advanced Studies, and Modified Standard Diplomas. Beginning with the ninth-grade class of 2008-2009, all students would be required to take and pass a one semester course in personal finance. The required number of electives would be reduced by one semester, resulting in no net change in the number of standard and verified credits required to graduate.

Dr. Snead said that transfer students would be afforded the opportunity to take the course, but would not be required to take it if it would require the student to take a heavier than normal course load.

Mr. Johnson made a motion to waive first review and approve the request to increase the graduation requirements for Roanoke County Public Schools by requiring students to earn 0.5 standard credits in personal finance, beginning with the ninth-grade class of 2008-2009. The motion was seconded by Mrs. Saslaw and carried unanimously.

Final Review of Criteria for Making Distributions from the Public Charter School Fund (HB 2311)

Mrs. Diane Jay, associate director, office of program administration and accountability, presented this item. Mrs. Jay said that the *Code* requires the Board to establish criteria for making distributions from the Fund. The criteria include provisions for receiving moneys from the Fund and provisions for oversight of the Fund by the Department. Two priorities are recommended in awarding funds. Applications establishing new public charter schools will be given first priority. Applications supporting public charter schools that have been in operation for more than one year, and are fully accredited as required under 8 VAC 20-131-300 in the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, September 7, 2006, will be given second priority.

Moneys from the Fund shall be limited to \$10,000, or less, depending on the amount available. The minimum award amount would be \$5,000. To date, no gifts, grants, bequests, or donations have been received, and no funds will be disbursed until such time as funds are received.

Dr. Jones made a motion to approve Criteria for Making Distributions from the Public Charter School Fund pursuant to 22.1-212.5, *Code of Virginia*. The motion was seconded by Mrs. Saslaw and carried unanimously.

Final Review of Proposed Schedule for the Adoption of Mathematics, English, Science, and Foreign Languages Textbooks and Instructional Materials

Dr. Beverly Thurston, specialist, history, social science, and international education coordinator, presented this item. Dr. Thurston said that during each recent textbook and instructional materials adoption, the Department of Education worked with a state committee to review and evaluate publishers' submissions with respect to correlation to the content of the *Standards of Learning* (SOL) and certain quality- and curriculum-related factors. Following each review, the Department of Education provided school divisions with a list of the adopted materials, which included detailed profiles of each adopted submission.

The importance of teachers using curricula and materials that are aligned to the *Standards of Learning* is a major factor contributing to student achievement in Virginia. Generally, state textbook adoption in a SOL subject area should be conducted shortly after the standards are revised if current materials have been on the state contract for at least six years.

Dr. Ward made a motion to accept for final review and approve the mathematics, English, science, and foreign language textbook and instructional materials review schedule. The motion was seconded by Mrs. Castro and carried unanimously.

Final Review of Proposed Revised Physical Education Standards of Learning

Dr. Linda Wallinger, assistant superintendent for instruction, presented this item. Dr. Wallinger said that on October 18, 2007, the Virginia Board of Education accepted the proposed revised standards for first review. On November 26, 2007, the Board held four public hearings to solicit comments on the proposed revised *Physical Education Standards of Learning*. The public hearings were held at Mills E. Godwin High School, Henrico County; Lake Taylor High School, Norfolk; Robinson Secondary School, Fairfax County; and George Wythe High School, Wytheville.

The Department received three public comments at these hearings on the *Physical Education Standards of Learning*, and 34 comments were received by e-mail. These comments made recommendations to enhance clarity, specificity, alignment of skills and content, and to reflect the current research and practice in teaching physical education.

Final revisions to the standards were made based on the public comments received by e-mail and at the four public hearings.

Dr. Brewster made a motion to adopt the proposed revised *Physical Education Standards of Learning*. The motion was seconded by Mrs. Castro and carried unanimously.

Final Review of Proposed Revised Health Education Standards of Learning

Dr. Wallinger presented this item. Dr. Wallinger said that on October 18, 2007, the Virginia Board of Education accepted the proposed revised standards for first review. On November 26, 2007, the Board held four public hearings to solicit comments on the proposed revised *Health Education Standards of Learning*. The public hearings were held at Mills E. Godwin High School, Henrico County; Lake Taylor High School, Norfolk; Robinson Secondary School, Fairfax County; and George Wythe High School, Wytheville.

The Department received no public comments at these hearings on the *Health Education Standards of Learning*. There were, however, several positive comments in support of the standards and one editorial notation received by e-mail. As a result, no further substantive changes to the standards are proposed.

Dr. Ward made a motion to adopt the proposed *Health Education Standards of Learning*. The motion was seconded by Mr. Moore and carried unanimously.

Final Review of Proposed Revised Driver Education Standards of Learning

Dr. Wallinger presented this item. Dr. Wallinger said that on October 18, 2007, the Virginia Board of Education accepted the proposed revised standards for first review. On November 26, 2007, the Board held four public hearings to solicit comments on the proposed revised *Driver Education Standards of Learning*. The public hearings were held at Mills E. Godwin High School, Henrico County; Lake Taylor High School, Norfolk; Robinson Secondary School, Fairfax County; and George Wythe High School, Wytheville.

The Department received no public comments at the four hearings for the *Driver Education Standards of Learning*. There were, however, several positive comments in support of the standards received by e-mail. No further revisions have been made to the document that was presented for first review.

Mr. Moore made a motion to adopt the *Driver Education Standards of Learning*. The motion was seconded by Mrs. Castro and carried unanimously.

Final Review of Proposed Revised History and Social Science Standards of Learning

Dr. Beverly Thurston presented this item. Dr. Thurston said that on October 18, 2007, the Virginia Board of Education accepted the proposed revised standards for first review. The Board held four public hearings on Monday, November 26, 2007, to solicit comments on the proposed revised *History and Social Science Standards of Learning*. The public hearings were held at Mills E. Godwin High School, Henrico County; Lake Taylor High School, Norfolk; Robinson Secondary School, Fairfax County; and George Wythe High School, Wytheville. There were a total of 32 speakers. In addition to comments received at the public hearing, 517 online comments were received and 34 letters and faxes were received by the Department.

Dr. Thurston said that the majority of public comments related to the repositioning of the Civil War and Reconstruction to United States History: 1877 to the Present. Additional areas of comment included:

- Concern over volume of content within a course;
- Decisions on the relative importance of historical events and people;
- Debate over competing historical sources and which academic expert sources to follow;
- Support for inclusion of more women and information on Latin America;
- Inclusion of contemporary leaders and events; and
- Financial impact on school divisions that would necessitate major curriculum revisions and new textbooks.

Dr. Thurston said that Standard 9 under Virginia and U. S. Government History would be amended to include the following: The student will demonstrate knowledge of the process by which public policy is made by formulating and practicing a course of action to address local and/or state issues.

Mrs. Saslaw made a motion to adopt the *History and Social Science Standards of Learning* and authorize the Department to make technical edits to the document as needed. The motion was seconded by Dr. Ward and carried unanimously.

Final Review of Proposed Curriculum Framework for Algebra, Functions, and Data Analysis Standards of Learning

Dr. Wallinger presented this item. Dr. Wallinger said that in June 2007, the Board of Education approved *Standards of Learning* for a new, optional, high school course, *Algebra, Functions, and Data Analysis*. Thus, it was necessary to develop a new curriculum framework for these standards to provide school divisions with an aligned resource document. Between June and September 2007, selected mathematics teachers and specialists assisted Department staff in developing the new framework document.

The Board of Education accepted for first review the *Algebra, Functions, and Data Analysis Standards of Learning Curriculum Framework* at its October 2007 meeting. On November 29, 2007, a public hearing was held to receive public comments on the curriculum framework. No comments were received at the public hearing or

through other means. As a result, no additional revisions have been made to the attached draft.

The Department of Education developed a *Curriculum Framework for Algebra, Functions, and Data Analysis Standards of Learning* which includes a brief introduction and describes the context for the *Algebra, Functions, and Data Analysis* standards as focusing on real-world problems. Each standard is explicated with Essential Understandings and Essential Knowledge and Skills sections to provide school division mathematics educators with detailed information for curriculum development.

Dr. Brewster made a motion to adopt the proposed *Curriculum Framework for Algebra, Functions, and Data Analysis Standards of Learning*. The motion was seconded by Dr. Ward and carried unanimously.

First Review of Proposed Amendments to Virginia's Consolidated Application Accountability Plan Under the No Child Left Behind Act of 2001

Dr. Wallinger and Mrs. Shelley Loving-Ryder, assistant superintendent for student assessment and school improvement, presented this item. Dr. Wallinger said that the *No Child Left Behind Act of 2001* (NCLB), which is a reauthorization of the Elementary and Secondary Education Act (ESEA), requires all state educational agencies (SEA) to submit for approval to the United States Department of Education (USED) individual program applications or a consolidated state application.

In May 2002, the Virginia Board of Education submitted and received USED approval for its initial Consolidated State Application under NCLB. The NCLB application process involves multiple submissions of information, data, and policies. A major component of the consolidated application is Virginia's Consolidated State Application Accountability Workbook. The workbook describes a single statewide accountability system for the Commonwealth. Virginia received USED approval for its accountability workbook in June 2003. Additional amendments were made to Virginia's workbook in September 2003, May 2004, June 2005, June 2006, and July 2007. The policies and procedures that were used to determine Adequate Yearly Progress (AYP) ratings for the 2007-2008 school year based on 2006-2007 assessment results are described in the amended workbook dated July 16, 2007.

Dr. Wallinger said that Virginia's proposed amendments fall under two categories: 1) technical clarifications of how certain requirements are being implemented as requested by USED; and 2) revisions to existing policies. Under the first category, USED has requested a description of procedures for implementation of the state's science assessments during the 2007-2008 school year. USED has also requested an accounting of each state's AYP calculations including whether data are averaged across years. Under the second category, the following revisions to existing policies are being requested: a) reversing the order of the public school choice and supplemental educational services sanctions; b) extending flexibility in AYP calculations for students with disabilities (SWD); and c) identifying targets for Annual Measurable Achievement Objectives (AMAOs) for limited English proficient (LEP) students.

Dr. Ward made a motion to waive first review and approve the proposed amendments to the Virginia Consolidated State Application Accountability Plan as permitted in Section 9401 of the federal law. The motion was seconded by Mr. Moore and carried unanimously.

The amendments read as follows:

**Amendments to Virginia's Consolidated State Application Accountability Plan as Required by the
*No Child Left Behind Act of 2001 (NCLB)***

Technical Amendments

1. Procedures for Implementation of Science Assessments during the 2007-2008 school year (Critical Element 6.1)

Technical Clarification: Virginia will use the science assessments already administered under its established state accountability system in grades 3, 5, 8, and End-of-Course to meet the requirement under Section 1111(b)(3) for implementation of science assessments beginning in 2007-2008. As stated in the USED guidance letter in November 2007, these science assessments will not be included in the Adequate Yearly Progress (AYP) calculations.

Rationale: Virginia has administered science assessments in grades 3, 5 and 8 and End-of-Course since 1998. End-of-course Standards of Learning (SOL) assessments in science have also been administered at the middle or high school level after completion of the corresponding content course since 1998. Existing science assessments already administered throughout the state since 1998 can be used to meet the NCLB requirement.

2. Procedures for Averaging Data Across Years for Adequate Yearly Progress (AYP) Calculations (Critical Element 6.1)

Technical Clarification: Virginia uses the uniform averaging procedure described in Section 1111(b)(2)(j) for adequate yearly progress (AYP) calculations. For the 2008-2009 school year based on assessments administered during the 2007-2008 school year, all tests given in grades 3, 4, 5, 6, 7, 8 and End-of-Course subjects will be included in the participation and performance calculations for AYP. Schools and school divisions can make AYP in one of two ways: 1) current year performance; or 2) the average of student performance in grades 3 through 8 and End-of-Course for the previous three years. Safe harbor is applied if a school does not make AYP through the current or three-year average.

Rationale: By 2007-2008, schools and divisions will have implemented assessments in grades 3 through 8 and End-of-Course for three consecutive years. This three-year implementation of the assessments will allow averaging across all grade levels as opposed to averaging of assessments only in grades 3, 5, 8 and End-of-Course as was previously required.

Policy Amendments

3. Reversing Order of School Improvement Sanctions (Critical Elements 1.6 and 4.1)

Request: Virginia will allow schools the flexibility to reverse the order of sanctions in the first two years of school improvement. Supplemental educational services may be offered to eligible students attending Title I schools in improvement in the first year and public school choice in the second year.

Rationale: Currently, USED requires Title I schools in Year One Improvement status to provide eligible students the option of public school choice. Title I schools in Year Two Improvement status must provide eligible students supplemental educational services (SES) and continue to offer choice. An effective school

choice plan requires time to develop and communicate to parents and the public. AYP is calculated using test scores from the spring administration; therefore, AYP determinations are not available until late July or early August. This is too close to the opening of school for choice plans to be implemented effectively. A more effective intervention strategy for the first year of improvement is offering eligible students SES while planning for choice implementation. If the school moves to Year Two Improvement status, the school would offer choice while continuing to provide SES.

Virginia has participated in a USED pilot for the past three years that permits selected school divisions to provide SES to eligible students in Title I schools in the first year of school improvement in lieu of choice, thereby reversing the order of sanctions as specified in the law. The pilot divisions report favorable results in higher levels of student participation as well as improved student achievement. As a result, Virginia believes that all schools should have this option.

4. Assessing Students with Disabilities – Use of Two Percent Proxy (Critical Element 5.3)

Request: Virginia will continue to implement the United State’s Secretary of Education’s Transition Option Number 1 (2 percent proxy) for the inclusion of students with disabilities in the calculation of Adequate Yearly Progress (AYP) for the 2008-2009 school year, based on assessments administered to those students during the 2007-2008 school year. Option Number 1 permits states to make a mathematical adjustment to the proficiency rate for the students with disabilities subgroup in schools or divisions that failed to make AYP based solely on the scores of students in that subgroup. The proxy will be calculated in accordance with guidance disseminated by USED on May 10, 2005.

Rationale: The U.S. Secretary of Education has extended the use of a proxy for students with disabilities for states that are working toward developing modified achievement standards if certain eligibility conditions are met. Virginia meets the eligibility requirements as follows: 1) the statewide assessment participation rate for students with disabilities for the purpose of measuring AYP is 95 percent; 2) Virginia is in compliance with the Individuals with Disabilities Education Act (IDEA); 3) appropriate accommodations on statewide assessments are available for students with disabilities; 4) targeted statewide technical assistance efforts are being implemented to improve students’ achievement for students with disabilities; 5) Virginia’s assessment system has received a rating of “Approval Expected”; and 6) Virginia is making substantial progress in developing an alternate assessment based on modified achievement standards. Therefore, Virginia is requesting a continuation of the use of the proxy for certain students with disabilities under this extension.

5. Annual Measurable Achievement Objectives for Limited English Proficient (LEP) students (Consolidated State Application September 1, 2003 Submission)

Request: Virginia will extend the targets for the Annual Measurable Achievement Objectives (AMAOs) for limited English proficient (LEP) students approved by USED in the Consolidated State Application September 1, 2003, submission to include the 2008-2009 school year. The AMAOs for the percent of LEP students making progress and attaining English language proficiency will each increase by 5 percent in 2008-2009 in keeping with the previously approved trajectory. AMAOs for future years will be set after the data from the statewide implementation of the newly adopted English Language Proficiency (ELP) assessment scheduled for implementation in 2008-2009 have been analyzed.

Rationale: The AMAOs for the percent of LEP students making progress in learning English and attaining English language proficiency have been approved through the 2007-2008 school year. Currently, school divisions report the progress and proficiency results for their LEP students on an annual basis as a result of their performance on state-approved ELP assessments and if applicable, a body of evidence. Beginning with the 2008-2009 school year, it is anticipated that the majority of school divisions will implement the state-approved ELP assessment, ACCESS for ELLs. Therefore, it is recommended that the targets for progress and proficiency each increase by 5 percent in keeping with the previously approved trajectory. Once data are analyzed from the implementation of the single statewide ELP assessment, targets for future years will be proposed. (See the following table.)

First Review of Revisions of Industry, Professional, or Trade Association Certification Examinations and Occupational Competency Assessments to Meet the Requirements for the Board of Education's Career and Technical and Advanced Mathematics and Technology Seals and the Student-Selected Verified Credit

Mr. Lan Neugent, assistant superintendent for technology and career education, presented this item. Mr. Neugent said that the list of industry, professional, trade association certifications, or occupational competency assessments meets the Board's requirements as noted in 8 VAC 20-131-50.I.3, 8 VAC 20-131-50.I.4, 8 VAC 20-131-110, and 8 VAC 20-131-50.B.4 (Footnotes 5 and 6 and C., Footnote 5) for the Career and Technical Education Seal, the Seal of Advanced Mathematics and Technology, and student-selected verified credit.

The 13 additional industry certification examinations and occupational competency assessments were identified as meeting criteria to satisfy requirements for the Career and Technical Education Seal and student-selected verified credit. Three of these examinations were identified as meeting criteria to satisfy requirements for the Advanced Mathematics and Technology Seal.

Industry, professional, and trade association certifications are continually being revised or discontinued to stay current with technology and new techniques. These changes may be such that individual certifications are no longer available, no longer meet the Board of Education's criteria for diploma seals or student-selected verified credit, or require additional criteria such as work experience beyond high school. Changes have been made in 48 of the certifications that were previously approved by the board.

As a result of the proposed additions and deletions to this list there are:

- 157 credentials eligible for student-selected verified credit;
- 151 credentials eligible for the Career and Technical Education Seal; and
- 34 credentials eligible for the Advanced Mathematics and Technology Seal.

Mr. Moore made a motion to waive first review and approve the revised list of industry certification examinations, occupational competency assessments, and licenses to meet the requirements for the Board of Education's Career and Technical Education and Advanced Mathematics and Technology Seals and the student-selected verified credit. The motion was seconded by Mrs. Castro and carried unanimously.

First Review of Virginia's Five-Year State Plan for Fiscal Years 2008-2013 for the Carl D. Perkins Career and Technical Education Act of 2006

Mrs. Elizabeth Russell, director, office of career and technical education, presented this item. Mrs. Russell said that The *Carl D. Perkins Career and Technical Education Act of 2006* (Perkins IV) provided states with the opportunity to submit either a six-year plan for the new law or to submit a one-year transitional plan, followed by a five-year plan. Virginia chose to submit a transitional plan, followed by a five-year plan to be submitted in April 2008.

The *Carl D. Perkins Career and Technical Education Act of 2006* requires the Virginia State Board of Education, acting as the State Board of Career and Technical Education, to approve the state plan. The state plan will be in effect from July 1, 2008, through June 30, 2013. The state plan includes legislative requirements, identified needs of secondary and postsecondary career and technical education, allocation of funds, and appropriate appendices. The time for negotiation of state performance standards will begin May 1, 2008. The state plan must be submitted to the USED by April 1, 2008.

For 2008-2013, all components of the secondary portion of the plan have been completed with the exception of one performance standard (2S1) which the USED is still discussing. The Virginia Community College System is utilizing USED technical assistance for their performance standards and will complete those based on recommendations from the technical assistance.

For the first time, Perkins IV requires sanctions for not meeting performance standards at both the state and local level. Negotiations for the level of performance between the state and OVAE will continue to be negotiated under this law. However, Perkins IV has added a negotiation process for performance standard levels between the state and each local division served. These negotiations must insure that the state levels required by OVAE are met. The earliest sanctions at the state level would be during the 2008-2009 year although this is still being discussed. Sanctions at the state level can include reduction of state administration funds. Historically, Virginia has met 100 percent of its performance standards. At this point, the sanctions for local divisions do not take effect until 2009-2010. Sanctions at the local level have not been determined, but templates and procedures for Local Improvement Plans are in place from Perkins III and may be continued under Perkins IV.

Dr. Jones made a motion to accept for first review Virginia's proposed state plan for the *Carl D. Perkins Career and Technical Education Act of 2006*. The motion was seconded by Dr. Brewster and carried with a vote of 8 affirmative votes. Mr. Rotherham temporarily left the meeting and was not present for the vote.

Report on the Governor's Proposed Budget

Mr. Kent Dickey, assistant superintendent, finance, presented this item. Mr. Dickey said that on December 17, 2007, Governor Kaine presented his proposed 2008-2010 biennial budget to the General Assembly. Governor Kaine's budget fully funds the cost of rebenchmarking the Direct Aid budget for the 2008-2010 biennium. The Governor's budget also includes \$183.2 million for new or expanded Direct Aid programs in 2008-2010.

New or expanded Direct Aid funding (in addition to funding for rebenchmarking) proposed by the Governor for 2008-2010 includes:

- Salary Increase for SOQ and other Funded Positions (FY 10)
- Virginia Preschool Initiative Expansion
- Data Coordinators in At-risk High Schools
- Career Switcher Mentors
- National Board Certification Bonuses
- Virtual Virginia (Virtual AP School)

The final rebenchmarking cost for Direct Aid contained in the Governor's 2008-2010 introduced budget is \$943.0 million. This final rebenchmarking cost is less than the \$1.1 billion estimate presented to the Board in July 2007 due primarily to two factors that reduced the final cost:

- Final enrollment projections that are lower than those used in the July estimate;
- Funded VRS fringe benefit rates that are lower than the FY 08 rates used for the July estimate.

Additional spending items proposed by the Governor increase the final Direct Aid general fund appropriations (over the FY 08 base) to approximately \$1.1 billion for the biennium. As proposed by the Governor, total general fund appropriations in Direct Aid are \$6.2 billion in FY 09 and \$6.5 billion in FY 10; this represents a 6.9 percent increase and an 11.7 percent increase, respectively, above the FY 08 base-year general fund appropriations in Direct Aid. Non-general fund appropriations in Direct Aid add approximately another \$1.0 billion each year of the biennium primarily for federal grant reimbursements and use of Literary Funds for VRS retirement payments. The Governor's proposed 2008-2010 budget will be considered by the 2008 General Assembly. The Board accepted the informational report.

Dr. Patricia Wright, chief deputy superintendent of public instruction, replaced Dr. Cannaday on the podium for the remainder of the meeting.

DISCUSSION OF CURRENT ISSUES

There was no discussion of current issues.

DINNER SESSION

The Board met for dinner at the Crowne Plaza Hotel with the following members present: Dr. Emblidge, Dr. Brewster, Mrs. Castro, Mr. Johnson, Dr. Jones, Mr. Moore, Mrs. Saslaw and Dr. Ward. A brief discussion took place about general Board business. No votes were taken, and the dinner meeting ended at 8:30 p.m.

EXECUTIVE SESSION

Dr. Ward made a motion to go into executive session under *Virginia Code 2.2-3711.A*, specifically to discuss personnel matters related to licensure. Mrs. Castro seconded the motion and it carried unanimously. The Board adjourned for the Executive Session at 11:30 a.m.

Dr. Ward made a motion that the Board reconvene in open session. The motion was seconded by Dr. Brewster and carried unanimously. The Board reconvened at 12:00 Noon.

Dr. Ward made a motion that the Board certify by roll-call vote that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification motion applies, and (2) only such public business matters as were identified in the motion convening the executive session were heard, discussed or considered by the Board. The motion was seconded by Mr. Moore and carried unanimously.

Board Roll call:

Mr. Rotherham – Yes
Ella Ward – Yes
Gary Jones – Yes
Isis Castro – Yes

Eleanor Saslaw – Yes
David Johnson – Yes
Kelvin Moore – Yes
Mark Emblidge – Yes

The following motions were made:

Dr. Ward made the motion to support the recommendation of the Superintendent of Public Instruction to approve the issuance of a statement of eligibility (leading to a provisional license) to Tyrone O'Neal Powell. The motion was seconded by Mr. Moore, and the motion carried unanimously.

Dr. Ward made the motion to support the recommendation of the Superintendent of Public Instruction to deny the request for reinstatement of the license of Edward Arthur Marshall. The motion was seconded by Mr. Moore, and the motion carried unanimously.

ADJOURNMENT

There being no further business of the Board of Education and Board of Career and Technical Education, Dr. Emblidge adjourned the meeting at 12:01 p.m.

President